

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JOAQUIN BRUSHON HILL

Petitioner,

vs.

TIMOTHY FILSON, et al.,

Respondents.

Case No. 3:16-cv-00594-HDM-VPC

**ORDER**

Petitioner has submitted a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The court dismisses this action because petitioner neither paid the filing fee nor filed an application to proceed in forma pauperis, including a signed financial certificate and a copy of his inmate account statement, as required by 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2. The court has reviewed the petition preliminarily, and the dismissal of this action would not affect the timeliness of a subsequent petition under 28 U.S.C. § 2244(d)(1), assuming that petitioner promptly commences a new action with the required documents.

Reasonable jurists would not find the court's conclusion to be debatable or wrong, and the court will not issue a certificate of appealability.

IT IS THEREFORE ORDERED that this action is **DISMISSED** without prejudice to petitioner's commencement of a new action in which he either pays the filing fee in full or submits a complete application to proceed in forma pauperis, accompanied by a signed financial certificate and a statement of his inmate account. The clerk of the court shall enter judgment accordingly and close this action.

1 IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

2 DATED: October 31, 2016.

3 

4  
5 

---

HOWARD D. MCKIBBEN  
United States District Judge